

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DONNA KASSMAN, SPARKLE  
PATTERSON, JEANETTE POTTER,  
ASHWINI VASUDEVA, TINA BUTLER,  
CHERYL CHARITY, HEATHER INMAN,  
NANCY JONES AND CAROL MURRAY, et  
al,

Plaintiffs,

v.

KPMG LLP,

Defendant.

Case No. 11-CV-3743 (LGS)

*Civil Action*

~~PROPOSED~~ ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, the Parties have agreed to pursue mediation in an attempt to resolve all pending claims in this matter (Dkt. 941);


WHEREAS Plaintiffs' counsel has, to date, received authority from each of the Named Plaintiffs and 437 of the 452 former opt-in plaintiffs who submitted Fact Sheets to represent them in settlement negotiations including in the mediation;

WHEREAS, 7 former opt-in plaintiffs have not yet responded to Plaintiffs' Counsel's request for authority to represent them in the settlement negotiations including in the mediation;

WHEREAS, 8 former opt-in plaintiffs have agreed to stipulate to the dismissal of their claims;

**IT IS HEREBY ORDERED** that this matter is stayed pending the outcome of the mediation process. It is further

**ORDERED** that, the Parties shall file a joint letter on **November 20, 2020**, and every 30 days thereafter, apprising the Court of the status of mediation.

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

**IT IS FURTHER ORDERED** that the Parties shall file a joint letter within 14 days after the mediation notifying the Court of the outcome of the mediation and proposing next steps.

**IT IS FURTHER ORDERED** that with respect to the 7 former opt-in plaintiffs who have not responded to Plaintiffs' Counsel's request for authority to represent them in the settlement negotiations, Plaintiffs' Counsel will make best efforts to notify these individuals in writing of the time and date and participation information (*e.g.*, log-in information) of the mediation. KPMG has reserved all rights to seek any and all appropriate relief with respect to any former opt-in plaintiff who fails to respond to Plaintiffs' Counsel's request for authority prior to the mediation and/or who fails to otherwise participate in the mediation.

**IT IS FURTHER ORDERED** that the former opt-in plaintiffs listed on Exhibit A (Dkt.\_\_\_\_), which identifies former opt-in plaintiffs who have stipulated to dismissal of their claims, are hereby dismissed with prejudice, without costs or attorneys' fees to any party.

So Ordered.

Dated: October 21, 2020  
New York, New York

# **Exhibit A**

Employee ID Number	Name
	Bianco, Christine
	Burris, Lacy
	Hall-Smith, Emily
	Hoover, Nicole
	Mirza, Zehra
	Nelson, Heidi
	White, Dortha
	Wu, Jingwen